

Introduced by Senator Alquist

February 22, 2006

An act to amend Section 100106 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1430, as introduced, Alquist. Public health.

Existing law authorizes the Director of Health Services and local health officers to issue orders to enforce various health and safety requirements. Existing law also authorizes local peace officers to enforce the orders of the State Department of Health Services and of local health officers issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease and authorizes the state director and the local health officer to consider whether a request for enforcement assistance would necessitate advising regarding measures to be taken to prevent infection of enforcement officers when requesting assistance in enforcement of their orders.

This bill would require the State Department of Health Services to annually report to the Legislature on the number of instances when the department requests enforcement assistance from local peace officers under these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 100106 of the Health and Safety Code
- 2 is amended to read:
- 3 100106. (a) Pursuant to Section 11158 of the Government
- 4 Code, the sheriff of each county, or city and county, may enforce

1 within the county, or the city and county, all orders of the State
2 Department of Health Services issued for the purpose of
3 preventing the spread of any contagious, infectious, or
4 communicable disease. Every peace officer of every political
5 subdivision of the county, or city and county, may enforce within
6 the area subject to his or her jurisdiction all orders of the State
7 Department of Health Services issued for the purpose of
8 preventing the spread of any contagious, infectious, or
9 communicable disease. This section is not a limitation on the
10 authority of peace officers or public officers to enforce orders of
11 the State Department of Health Services. When deciding whether
12 to request this assistance in enforcement of its orders, the State
13 Department of Health Services may consider whether it would be
14 necessary to advise the enforcement agency of any measures that
15 should be taken to prevent infection of the enforcement officers.
16 *(b) The State Department of Health Services shall report*
17 *annually to the Legislature on the number of instances when the*
18 *department requests the enforcement assistance described in this*
19 *section.*